

HOUSE BILL REPORT

HB 2622

As Reported by House Committee On:
Judiciary

Title: An act relating to the reciprocity of concealed pistol licenses.

Brief Description: Modifying concealed pistol license provisions.

Sponsors: Representatives Blake, Buck, Williams, Chase, Morrell, Buri, Linville, McCoy, Roach, Morris, Flannigan, Newhouse, Eickmeyer, Wallace, B. Sullivan, Dunshee, Nixon, Upthegrove, Conway, Hinkle, Moeller, Condotta and Kretz.

Brief History:

Committee Activity:

Judiciary: 1/24/06, 1/25/06 [DP].

Brief Summary of Bill

- Allows concealed pistol license reciprocity for a person who is at least 21 years old and has a license from an otherwise qualifying state even if that state issues licenses to persons under age 21.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 10 members: Representatives Lantz, Chair; Flannigan, Vice Chair; Williams, Vice Chair; Priest, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Campbell, Kirby, Serben, Springer and Wood.

Staff: Bill Perry (786-7123).

Background:

Persons are generally prohibited from carrying a concealed pistol in Washington without a license to do so. Except for in a person's home or place of business, a concealed pistol license (CPL) is required before a person may legally carry a concealed pistol. Carrying a concealed pistol without having been issued a CPL is a misdemeanor. Failure to carry a CPL in one's immediate possession while carrying a concealed pistol is a civil infraction.

A person may apply to the city or county of his or her residence for a CPL. Certain qualifications must be met before a person may be issued a CPL. A person who applies for a concealed pistol license must:

- be eligible to possess a firearm;
- be 21 or older;

- not be subject to an injunction regarding firearms;
- not be pending trial, appeal, or sentencing for a felony offense;
- not be subject to an outstanding arrest warrant for any crime; and
- not have been within the past year ordered to forfeit a firearm for possessing a concealed firearm while intoxicated in a place where a concealed pistol license is required.

A person is not eligible to possess a firearm, and therefore is not eligible for a CPL, if he or she has been convicted of any felony or convicted of certain misdemeanors committed against a family or household member, or if he or she has been involuntarily committed for mental health reasons. Restoration of rights is available under some circumstances and after varying periods of time for some of these disqualifying conditions.

To get a Washington CPL, a person must pay a fee and undergo a state and federal criminal history background check, including fingerprinting.

Several exemptions are provided from the requirement for a CPL in order to carry a concealed pistol. Marshals, sheriffs, prison or jail wardens or their deputies, or other law enforcement officers are exempted, as are out-of-state law enforcement officers. Also exempted are federal officers and military members, persons engaged in various firearms manufacturing or dealing jobs, and persons engaged in various activities such as sport shooting, gun collecting, or outdoor recreation.

In 2004, legislation was enacted allowing a person with a CPL from another state to carry a pistol in this state if the other state:

- recognizes and gives effect to Washington CPLs;
- does not issue CPLs to persons under age 21; and
- requires a mandatory fingerprint-based background check of criminal and mental health history for its own CPLs.

Under this reciprocity provision, the Attorney General is required to publish a list periodically of those states that recognize and give effect to Washington CPLs.

Some states that otherwise may meet these reciprocity requirements issue CPLs to persons under the age of 21.

Summary of Bill:

The provision that limits reciprocity to states that do not allow concealed pistol licenses to persons under age 21 is removed. Instead, only a license issued to a person at least 21 years old will be eligible for reciprocity and only if that license is from a state that meets the other reciprocity requirements.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The bill will not reduce Washington's requirements for issuance of a CPL. Other states will still have to meet all of the same requirements as before. The bill will allow more opportunities for Washington residents to travel safely, since the likely outcome of the bill will be an increase in the number of states with which we have reciprocity.

All states have websites and other sources of information on CPLs and their use. No person under 21 who has a CPL from another state would be unable to find out that the CPL is not valid in Washington. It is the responsibility of any person entering another state to become familiar with that state's laws.

Testimony Against: None.

Persons Testifying: Representative Brian Blake, prime sponsor; Joe Waldron, Citizen Committee for the Right to Bear and Keep Arms, Washington State Rifle and Pistol Association, Gun Owners Action League, Washington Arms Collector, Wildlife Committee of Washington; and Brian Judy, National Rifle Association.

Persons Signed In To Testify But Not Testifying: None.